

House Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

CHAPTER 138

# **HOUSE BILL 2441**

AN ACT

AMENDING SECTION 16-407, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-407.01; REPEALING SECTION 41-3006.07, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3016.01; RELATING TO ELECTION OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-407, Arizona Revised Statutes, is amended to  
3 read:

4 16-407. Election officers; qualifications; certificates;  
5 certification programs; plan; exemption; election  
6 training fund

7 A. Except as provided in subsection H- E, no person may perform the  
8 duties or exercise the authority of an election officer or of the clerk of  
9 the board of supervisors or the county recorder in performance of election  
10 duties in or on behalf of any county unless the person is the holder of an  
11 election officer's certificate issued by the secretary of state before  
12 January 1 of each general election year.

13 B. The secretary of state shall provide for the examination of  
14 applicants for election officer certificates. The secretary of state may not  
15 issue a certificate to a person who has not demonstrated to the satisfaction  
16 of the secretary of state that the person is competent to perform the work of  
17 an election officer or of the clerk of the board of supervisors or the county  
18 recorder in the performance of election duties.

19 C. The secretary of state shall provide for election officer  
20 certification programs of which successful completion by a person attests to  
21 the attendance at, participation in and completion of a course of instruction  
22 in the technical, legal and administrative aspects of conducting elections  
23 within this state.

24 ~~D. An election officer education, training and certification advisory~~  
25 ~~committee is established consisting of the following members:~~

26 ~~1. An assistant attorney general appointed by the attorney general.~~  
27 ~~2. Three election officers, deputy county election officers or county~~  
28 ~~recorders appointed by the secretary of state.~~

29 ~~3. A training coordinator in the office of the secretary of state~~  
30 ~~appointed by the secretary of state.~~

31 ~~E. The terms of members appointed pursuant to subsection D, paragraphs~~  
32 ~~1 and 2 are one year. The training coordinator appointed pursuant to~~  
33 ~~subsection D, paragraph 3 serves at the pleasure of the secretary of state.~~  
34 ~~The members of the advisory committee shall choose a chairman from among~~  
35 ~~themselves. The advisory committee shall meet at least semiannually at a~~  
36 ~~time and place set by the chairman. Additional meetings shall be held on the~~  
37 ~~call of the chairman or at the request of two or more members.~~

38 ~~F. The advisory committee shall evaluate:~~

39 ~~1. The curriculum proposed by the secretary of state for the election~~  
40 ~~officer certification program.~~

41 ~~2. The procedures proposed by the secretary of state for evaluation of~~  
42 ~~participants.~~

43 ~~3. The form and content of all examinations given in the election~~  
44 ~~officer certification program.~~



1        3. THE FORM AND CONTENT OF ALL EXAMINATIONS GIVEN IN THE ELECTION  
2 OFFICER CERTIFICATION PROGRAM.

3        Sec. 3. Repeal

4        Section 41-3006.07, Arizona Revised Statutes, is repealed.

5        Sec. 4. Title 41, chapter 27, article 2, Arizona Revised Statutes, is  
6 amended by adding section 41-3016.01, to read:

7        41-3016.01. Election officer education, training and  
8                                certification advisory committee; termination  
9                                July 1, 2016

10        A. THE ELECTION OFFICER EDUCATION, TRAINING AND CERTIFICATION ADVISORY  
11 COMMITTEE TERMINATES ON JULY 1, 2016.

12        B. SECTION 16-407.01 IS REPEALED ON JANUARY 1, 2017.

13        Sec. 5. Purpose

14        Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,  
15 the legislature continues the election officer education, training and  
16 certification advisory committee to assure the public that persons who  
17 perform the duties of election officers are knowledgeable in the technical,  
18 legal and administrative aspects of conducting elections and competent to  
19 perform election duties.

20        Sec. 6. Retroactivity

21        Sections 3 and 4 of this act are effective retroactively to  
22 July 1, 2006.

**APPROVED BY THE GOVERNOR APRIL 17, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2006.**